Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permit, Variances and Site Plan Review
BZZ-5276

Date: October 17, 2011

Applicant: Curt Gunsbury with Solhem LLC

Addresses of Property: 515, 517 and 521 Huron Boulevard Southeast

Project Name: 515 Huron Boulevard Apartments

Contact Person and Phone: Curt Gunsbury, (612) 598-9416

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: September 16, 2011

End of 60-Day Decision Period: November 15, 2011

End of 120-Day Decision Period: Not applicable for this application

Ward: 2 **Neighborhood Organization:** Prospect Park East River Road Improvement Association

Existing Zoning: I1, Light Industrial District, IL Industrial Living Overlay District, UA University Area Overlay District

Proposed Zoning: R6, Multiple-family District, UA University Area Overlay District, REMOVE the IL Industrial Living Overlay District

Zoning Plate Number: 22

Legal Description: Not applicable for this application

Proposed Use: 75-unit residential development

Concurrent Review:
Rezoning: from the I1 to the R6 zoning district and to remove the IL Industrial Living Overlay District
Conditional use permit: for a 75-unit residential development.
Variance: to reduce the minimum lot area requirement per dwelling unit from 340 square feet per dwelling to 276 square feet per dwelling (18.8 percent variance).
Variance: to increase the maximum lot coverage from 70 percent to 82 percent (14,520 square feet to 17,053 square feet).
Variance: to reduce the required number of off-street parking spaces from 67 to 38.
Variance: of the parking location requirements - north interior side yard and within 6 feet of the structure.

Variance: to reduce the front yard setback along Huron Boulevard from the required 15 feet to 4 feet.
Variance: to reduce the north interior side yard setback from the required 15 feet to 3 feet.
Variance: to reduce the eat rear yard setback from the required 15 feet to 5 feet.
Variance: to reduce the south interior side yard setback from the required 15 feet to 5 feet.
Site plan review.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520(2) "to vary the lot area or lot width requirements up to 30 percent…", specifically Section 525.520(3) "to vary the gross floor area, floor area ratio and seating requirements of a structure or use", specifically Section 525.520(6) To vary the applicable minimum and maximum number of required off-street parking, stacking or loading spaces" and specifically Section 525.520(1) "to vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations", and Chapter 530 Site Plan Review.

Background: The applicant is proposing to construct a new residential development on the properties located at 515, 517 and 521 Huron Boulevard. The three properties are currently occupied by three residential buildings which would all be demolished as part of this development. The proposed building would be six stories in height with parking and common space located on the first floor. The common space includes a community room and an exercise room. There will be a total of 75 dwelling units in the building with a total of 75 bedrooms. The majority of the dwelling units on the second floor have outdoor patios. In addition, there is a common outdoor patio located on the second floor of the building.

Access to the enclosed parking will be located along Huron Boulevard Southeast. In total there will be 38 enclosed parking spaces. Within the parking area there will be room for 75 bicycles. A shared car is proposed as part of the development. The shared car will be parked outside for ease of use by residents and non-residents of the building. The shared car will be located near the entrance to the enclosed parking area towards the northwest corner of the site.

REZONING: from the I1 to the R6 zoning district and to remove the IL Industrial Living Overlay District

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The property is located along Huron Boulevard Southeast. The site is located just south of the Stadium Village Activity Center and the University and 29th Avenue Transit Station Area as designated in *The Minneapolis Plan for Sustainable Growth.* The site is also located two blocks south of University Avenue Southeast which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Transitional Industrial. Transitional Industrial areas are industrial areas located outside of the boundaries of an Industrial Employment District. These areas are labeled "transitional" as they may eventually evolve to other uses compatible with surrounding development. Although transitional industrial areas may remain industrial for some time, they do not have the same level of policy

protection as areas within an industrial employment district. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses (Land Use Policy 1.8).
- Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features (Land Use Policy Implementation Step 1.8.1).
- Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character (Land Use Policy 1.12).
- Encourage a variety of commercial and residential uses that generate activity all day long and into the evening (Land Use Policy Implementation Step 1.12.1).
- Encourage the development of medium- to high-density housing immediately adjacent to Activity Centers to serve as a transition to surrounding residential areas (Land Use Policy Implementation Step 1.12.7).
- Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places (Land Use Policy 1.13).
- Concentrate highest densities and mixed use development adjacent to the transit station and along corridors served by bus (Land Use Policy Implementation Step 1.13.5).
- Grow by increasing the supply of housing (Housing Policy 3.1).
- Support the development of new medium- and high-density housing in appropriate locations throughout the city (Housing Policy Implementation Step 3.1.1).
- Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities (Housing Policy 3.2).
- Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes (Housing Policy Implementation Step 3.2.1).

The Planning Division believes that the proposed rezoning would be in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment will allow the applicant to construct a high-density residential development on the site. Policies within *The Minneapolis Plan for Sustainable Growth* support constructing high-density housing in this area.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The properties immediately adjacent to the site on the north, east and south are zoned I1. The properties located across Huron Boulevard Southeast from the site are zoned R5. Other properties in the surrounding area are zoned R6, C3A and C2. The properties that are located in the I1 zoning district are

also located in the IL Industrial Living Overlay District. Uses in the surrounding area are primarily residential of varying densities. The adjacent property to the north in a food manufacturer and the adjacent property to the south is a child care center. The properties located within the IL Industrial Living Overlay District are a food manufacturer, a child care center and a multiple-family residential development. The Planning Division believes that rezoning the property from the I1 zoning district to the R6 zoning district and removing the IL Industrial Living Overlay District would be compatible with the surrounding area.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

The following uses are permitted in the I1, Light Industrial District:

- Light industrial
- Food and beverage products
- Laundry, commercial
- Research, development and testing laboratory
- Art gallery
- Neighborhood electric vehicle sales
- Coffee shop, with limited entertainment
- Indoor recreation area
- School, vocational or business
- Park
- Place of assembly

In the IL Industrial Living Overlay District dwelling units and supportive housing uses are allowed as a conditional use.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

A number of high density residential developments have been constructed, are under construction or have been approved by the City of Minneapolis in the last several years. The proposed development would be consistent with the trend of development in the surrounding area.

CONDITIONAL USE PERMIT: for a 75-unit residential development

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that a 75-unit residential development will be detrimental to or endanger the public health, safety, comfort or general welfare. The surrounding area includes a mixture of residential developments of varying densities including housing for the University of Minnesota. The proposed 75-unit residential development will complement the surrounding area.

2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Division does not believe that a 75-unit residential development would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. The proposed development will enhance the surrounding neighborhood and will provide additional opportunities for housing in the area.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The applicant would be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. As for vehicle access, the enclosed on-site parking area will be accessed from a single curb cut on Huron Boulevard Southeast.

4. Adequate measures have been or will be taken to minimize traffic congestion in the public streets.

The zoning code requires a minimum of one parking space per dwelling unit for multiple-family developments. For 75 dwelling units the parking requirement would be 75 spaces. The site is located in the UA University Area Overlay District. In this overlay district the off-street parking requirement for residential uses is .5 spaces per bedroom but not less than one space per dwelling unit. With 75 bedrooms the parking requirement would be 38 parking spaces. Since this is less than one space per dwelling unit the other parking calculation applies.

The applicant is proposing to provide a shared vehicle on the site which allows the minimum parking requirement to be reduced ten percent. After the reduction is calculated the parking requirement for this development is 67 parking spaces. The applicant is proposing to provide a total of 38 parking spaces on the site. The applicant has applied for a variance to reduce the parking requirement from 67 to 38 spaces.

In addition to the shared vehicle the applicant is proposing to provide a minimum of 75 bicycle parking spaces within the building.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

The property is located along Huron Boulevard Southeast. The site is located just south of the Stadium Village Activity Center and the University and 29th Avenue Transit Station Area as designated in *The Minneapolis Plan for Sustainable Growth.* The site is also located two blocks south of University Avenue Southeast which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Transitional Industrial. Transitional Industrial areas are industrial areas located outside of the boundaries of an Industrial Employment District. These areas are labeled "transitional" as they may eventually evolve to other uses compatible with surrounding development. Although transitional industrial areas may remain industrial for some time, they do not have the same level of policy protection as areas within an industrial employment district. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth,* the following apply to this proposal:

- Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses (Land Use Policy 1.8).
- Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features (Land Use Policy Implementation Step 1.8.1).
- Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character (Land Use Policy 1.12).
- Encourage a variety of commercial and residential uses that generate activity all day long and into the evening (Land Use Policy Implementation Step 1.12.1).
- Encourage the development of medium- to high-density housing immediately adjacent to Activity Centers to serve as a transition to surrounding residential areas (Land Use Policy Implementation Step 1.12.7).
- Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places (Land Use Policy 1.13).
- Concentrate highest densities and mixed use development adjacent to the transit station and along corridors served by bus (Land Use Policy Implementation Step 1.13.5).
- Grow by increasing the supply of housing (Housing Policy 3.1).
- Support the development of new medium- and high-density housing in appropriate locations throughout the city (Housing Policy Implementation Step 3.1.1).
- Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities (Housing Policy 3.2).
- Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes (Housing Policy Implementation Step 3.2.1).

The Planning Division believes that the proposed development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the rezoning, conditional use permit, variances and site plan review this development will meet the applicable regulations of the R6, Multiple-family District and the UA University Area Overlay District.

VARIANCE - Variance to reduce the minimum lot area requirement per dwelling unit from 340 square feet per dwelling to 276 square feet per dwelling (18.8 percent variance)

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Minimum lot area: The applicant is seeking a variance to reduce the minimum lot area requirement per dwelling unit from 340 square feet per dwelling to 276 square feet per dwelling (18.8 percent variance). The applicant has indicated that the minimum lot area for the development could be met but in order to do this the number of bedrooms per unit would need to increase which is not the desire of the neighborhood. The Planning Division believes that the circumstances are unique to warrant the granting of the variance. In order to balance the neighborhood goals and the needs of the developer the unit count has been increased but the number of bedrooms per dwelling unit has been kept low.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Minimum lot area: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. As the building is currently designed there are 30 studio units and 45 one-bedroom units.

The site is located just south of the Stadium Village Activity Center and the University and 29th Avenue Transit Station Area as designated in *The Minneapolis Plan for Sustainable Growth.* The policies for both of these land use features encourage concentration of medium- to high-density residential development in these areas. Density guidelines are provided in the comprehensive plan. The density range for medium-density housing is between 20 and 50 dwelling units per acre and high-density housing is between 50 and 120 dwelling units per acre. This development has 156 dwelling units per acre. Although this variance would allow slightly more density on the site than what the policies call for the same amount of bedrooms could be accommodated on the site by increasing the number of bedrooms per unit which is not the desire of the neighborhood.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Minimum lot area: The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The zoning code regulates the overall amount of development on a site through density and building mass requirements. The applicant could reduce the number of dwelling units on the site and increase the number of bedrooms in the remaining dwelling units which would ultimately result in the same number of residents living on the site.

VARIANCE - to increase the maximum lot coverage from 70 percent to 82 percent (14,520 square feet to 17,053 square feet)

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Maximum lot coverage: The applicant is seeking a variance to increase the maximum lot coverage from 70 percent to 82 percent (14,520 square feet to 17,053 square feet). In order to accommodate as many parking spaces on the site as possible the footprint of the first floor needed to be sized accordingly. The footprint of the first floor could be reduced but the result would be that the enclosed parking would become surface parking. It should be noted that if the zoning of the property were to remain I1 that there would be no maximum lot coverage.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Maximum lot coverage: Only the first floor of the building covers 82 percent of the site. The upper levels of the building cover 57 percent of the site. The remaining area of the second floor will be occupied by a green roof. The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Maximum lot coverage: The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The applicant is off-setting the increased amount of lot coverage by utilizing the remaining area of the second floor as a green roof.

VARIANCE - to reduce the required number of off-street parking spaces from 67 to 38

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Parking reduction: The applicant is seeking a variance to reduce the required number of off-street parking spaces from 67 to 38. The zoning code requires a minimum of one parking space per dwelling unit for multiple-family developments. For 75 dwelling units the parking requirement would be 75 spaces. The site is located in the UA University Area Overlay District. In this overlay district the off-street parking requirement for residential uses is .5 spaces per bedroom but not less than one space per dwelling unit. With 75 bedrooms the parking requirement would be 38 parking spaces. Since this is less than one space per dwelling unit the other parking calculation applies. The applicant is proposing to provide a shared vehicle on the site which allows the minimum parking requirement to be reduced ten percent. After the reduction is calculated the parking requirement for this development is 67 parking spaces. The applicant is proposing to provide a total of 38 parking spaces on the site.

The Planning Division believes that the circumstances are unique to warrant the granting of the variance. If the development had 38 dwelling units and 75 bedrooms the parking requirement would be met. However, in order to balance the neighborhood goals and the needs of the developer the unit count has been increased but the number of bedrooms per dwelling unit has been kept low.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Parking reduction: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The Planning Division believes that it is reasonable to provide 38 parking spaces on this site as it meets the parking requirement of .5 spaces per bedroom as called for in the UA University Area Overlay District.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Parking reduction: The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. Not only is this site located near the University of Minnesota campus it is also located three blocks from the future Light Rail Transit station stop at 23rd Avenue Southeast and University Avenue Southeast. The developer has also committed to providing a shared vehicle on the site for the residents to use and one bicycle parking space per bedroom.

VARIANCE - of the parking location requirements - north interior side yard and within 6 feet of the structure

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Parking location: The applicant is seeking a variance of the parking location requirements as they pertain to the parking space for the shared vehicle which is located towards the northwest corner of the property. Specifically, the proposed parking space is located four feet from the north interior property line where a five-foot setback is required and the proposed parking space is located immediately adjacent to the building where a six-foot setback is required. The Planning Division believes that the circumstances are unique to warrant the granting of the variance. The applicant is proposing to have the shared vehicle parked outside for ease of use by residents and non-residents of the building. For security purposes the public cannot be let into the enclosed parking area to access the shared vehicle.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Parking location: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The applicant has indicated that the shared car will be parked outside for ease of use by residents and non-residents of the building. Given the placement of the building there is no other location for a surface parking space on the site. The proposed parking space will be screened from the adjacent property to the north by landscaping. The use within the building adjacent to where the proposed parking space is located is an electrical room, which minimizes the impact of the parking space being located within six feet of the residential structure. The Planning Division believes that this is a reasonable use of the property.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Parking location: The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. A portion of the parking space will be located underneath the building and blocked by the corner column of the building from Huron Boulevard Southeast. Landscaping and an electrical transformer will block the remaining of the parking space from the adjacent building to the north and from Huron Boulevard Southeast.

VARIANCE - to reduce the front yard setback along Huron Boulevard Southeast from the required 15 feet to 4 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Front yard setback along Huron Boulevard Southeast: The applicant is seeking a variance to reduce the front yard setback along Huron Boulevard Southeast from the required 15 feet to 4 feet. The majority of the building is located eight-and-a-half feet from the front property line. However, because the south 20 feet of the front property line angles easterly the southwest corner of the building is setback four feet. The canopy over the principal entrance is also located four feet from the front property line. In order to accommodate as many parking spaces on the site as possible the footprint of the first floor needed to be sized accordingly.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Front yard setback along Huron Boulevard Southeast: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The industrial building to the north is located up to the front property line while the child care center to the south is located more than 80 feet from the front property line. Given the context of the adjacent buildings the Planning Division believes that the proposed setbacks of the building from the front property line are reasonable. It should be noted that if the zoning of the property were to remain I1 that there would be no front yard setback requirement.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Front yard setback along Huron Boulevard Southeast: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. While the setbacks of the buildings on the east side of Huron Boulevard Southeast are irregular the setbacks of the buildings on the west side of Huron Boulevard Southeast are uniform. According to the City of Minneapolis' GIS system the setbacks of the buildings on the west side of Huron Boulevard Southeast are located approximately ten feet from the front property line.

VARIANCE - to reduce the north interior side yard setback from the required 15 feet to 3 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

North interior side yard setback: The applicant is seeking a variance to reduce the north interior side yard setback from the required 15 feet to 3 feet. The first floor of the building, the second floor patio and the electrical transformer are located three feet from the north interior property line. The upper floors of the building are located 11.5 feet from the north interior property line. The site is uniquely shaped. In addition, in order to accommodate as many parking spaces on the site as possible the footprint of the first floor needed to be sized accordingly.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

North interior side yard setback: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The industrial building to the north is located up to the shared interior property line. Where there isn't a building abutting the project site there is a surface parking lot. Given the context of the adjacent site the Planning Division believes that the proposed setbacks of the building from the north interior property line are reasonable.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

North interior side yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The industrial building to the north is located up to the shared interior property line and where there isn't a building abutting the project site there is a surface parking lot. The portion of the building where dwelling units are located has been setback 11.5 feet from the north interior property line which will provide adequate light, air and open space for the residents.

VARIANCE - to reduce the east rear yard setback from the required 15 feet to 5 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

East rear yard setback: The applicant is seeking a variance to reduce the east rear yard setback from the required 15 feet to 5 feet. The first floor and a portion of the second through sixth floors of the building are located five feet from the north interior property line. The site is uniquely shaped. In addition, in order to accommodate as many parking spaces on the site as possible the footprint of the first floor needed to be sized accordingly.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

East rear yard setback: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The industrial property to the north wraps around the project site to the east. The adjacent land to the east of the project site is used for parking and truck maneuvering. Given the context of the adjacent site the Planning Division believes that the proposed setbacks of the building from the east interior property line are reasonable.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

East rear yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The industrial property to the north wraps around the project site to the east. The adjacent land to the east of the project site is used for parking and truck maneuvering. The portion of the building where dwelling units are located has been setback five feet from the north rear property line which will provide adequate light, air and open space for the residents.

VARIANCE - to reduce the south interior side yard setback from the required 15 feet to 5 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

South interior side yard setback: The applicant is seeking a variance to reduce the south interior side yard setback from the required 15 feet to 5 feet. The first floor of the building and the second floor patios are located five feet from the south interior property line. The upper floors of the building are located ten feet from the south interior property line. The site is uniquely shaped. In addition, in order to accommodate as many parking spaces on the site as possible the footprint of the first floor needed to be sized accordingly.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

South interior side yard setback: The Planning Division believes that the applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan. The parking lot for the adjacent child care center is located up to the shared interior property line. Given the context of the adjacent site the Planning Division believes that the proposed setbacks of the building from the south interior property line are reasonable.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

South interior side yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The parking lot for the adjacent child care center is located up to the shared interior property line. The portion of the building where dwelling units are located has been setback ten feet from the south interior property line which will provide adequate light, air and open space for the residents.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)

B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- **Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- **First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- **The area between the building and the lot line shall include amenities.**
- **The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- **Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- **For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.**
- **In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.**
- **Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- **Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.**
- **Entrances, windows, and active functions:**
  - **Residential uses:**
    - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
      a. Windows shall be vertical in proportion.
      b. Windows shall be distributed in a more or less even manner.
  - **Nonresidential uses:**
    - **Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:**
      a. Windows shall be vertical in proportion.
      b. Windows shall be distributed in a more or less even manner.

c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.

d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.

e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.

f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

- **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.**

- **Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

PLANNING DIVISION RESPONSE:

- The building reinforces the street wall, facilitates pedestrian access and maximizes natural surveillance. The building is set close to the front property line, there is an entrance at street level that can be accessed by residents and guests and there are large windows on all sides of the building that maximize the opportunities for people to observe adjacent spaces and the public sidewalks.
- The front wall of the building is to be located within eight feet of Huron Boulevard Southeast except where a greater yard is required by the zoning ordinance. The required front yard setback in the R6 zoning district is 15 feet. The building will be located between four and eight-and-a-half feet from the front property line.
- The area in between the building and the front property line will be landscaped.
- The principal entrance to the building is oriented towards Huron Boulevard Southeast.
- With the exception of a parking space for a shared vehicle, all of the on-site parking will be enclosed.

- The exterior materials of the building will include brick, metal and Nichiha, a cement board siding. The sides and rear of the building are similar to and compatible with the front of the building.
- There are no areas of the building that are over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. On the first floor of the building, along the north, east and south walls, there will be brick masonry accent panels. The accent panels have a basket weave pattern which is a different brick pattern from the rest of the wall. In front of each of the accent panels a galvanized welded wire fabric will be attached to the wall which will allow vines to grow up them.
- At least 20 percent of the first or ground floor and at least 10 percent of the upper floors of the building that face a public street, public sidewalk, public pathway, or on-site parking lot are required to be windows. The window requirement pertains to the Huron Boulevard Southeast side of the building. Please note that the minimum window calculation for the first floor of the building is measured between two and ten feet above the adjacent grade. The analysis of the project's compliance with these requirements follows:
  - Huron Boulevard Southeast: the percentage of windows on the first floor is 45 percent and the percentage of windows on floors two through six is 37 percent.
- The windows are vertical in nature and are evenly distributed along the building walls.
- Sixty-four percent of the building frontage along Huron Boulevard Southeast contains active functions. The site has frontage on only one street. Since there is no alley on this block the operational functions of the building have to be located towards the street side of the building including the parking garage entrance, the fire access room and the trash and recycling room. Given this the Planning Division is recommending that the City Planning Commission grant alternative compliance to allow more than 30 percent of the building frontage along Huron Boulevard Southeast to contain non-active functions.
- The principal roof line of the building will be flat. There is a mixture of roof types in the surrounding area.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

PLANNING DIVISION RESPONSE:

- The principal entrance to the building is connected to the public sidewalk via a walkway.
- No transit shelters are proposed as part of this development.
- With the exception of a parking space for a shared vehicle, all of the on-site parking will be enclosed.
- There are no public alleys adjacent to the site.

- The maximum impervious surface requirement in the R6 zoning district is 85 percent. According to the materials submitted by the applicant 85 percent of the site will be impervious.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - **A decorative fence.**
  - **A masonry wall.**
  - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

PLANNING DIVISION RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the entire site is 20,743 square feet. The footprint of the buildings is 15,660 square feet. When you subtract the footprint from the lot size the resulting number is 5,083 square feet. Twenty percent of this number is 1,017 square feet. According to the information that was submitted there is approximately 3,109 square feet of landscaping on the site or approximately 61 percent of the site not occupied by the building.
- The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space be planted on the site. The tree and shrub requirement for this site is two and ten respectively. The applicant is providing a total of two

canopy trees and 87 shrubs on the site. In addition, the applicant is proposing to plant 11 ornamental trees, 3 evergreen trees and 413 perennials on the site. The applicant is also proposing additional plant materials on the green roof.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
  - **Natural surveillance and visibility**
  - **Lighting levels**
  - **Territorial reinforcement and space delineation**
  - **Natural access control**
- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

PLANNING DIVISION RESPONSE:

- With the exception of a parking space for a shared vehicle, all of the on-site parking will be enclosed.
- There are no important elements of the city near the site that will be obstructed by the proposed building.
- The applicant has submitted computer-generated shadow studies which are included in this staff report. The shadow study diagrams were done for spring, summer and winter at 9 am, 12 noon and 5 pm. The shadow study indicates minimal shadowing on the residential buildings located across Huron Boulevard Southeast from the site
- This building should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as there is a walkway that directs people to the building entrance, there are windows where people can see in and out along all levels of the building and there are lights located near all of the entrances.
- This site is neither historically designated nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE:

- **Use:** Residential uses over five dwelling units require a conditional use permit in the R6 zoning district.

- **Off-Street Parking and Loading:**

  Minimum automobile parking requirement: The zoning code requires a minimum of one parking space per dwelling unit for multiple-family developments. For 75 dwelling units the parking requirement would be 75 spaces. The site is located in the UA University Area Overlay District. In this overlay district the off-street parking requirement for residential uses is .5 spaces per bedroom but not less than one space per dwelling unit. With 75 bedrooms the parking requirement would be 38 parking spaces. Since this is less than one space per dwelling unit the other parking calculation applies.

  The applicant is proposing to provide a shared vehicle on the site which allows the minimum parking requirement to be reduced ten percent. After the reduction is calculated the parking requirement for this development is 67 parking spaces. The applicant is proposing to provide a total of 38 parking spaces on the site. The applicant has applied for a variance to reduce the parking requirement from 67 to 38 spaces.

  Maximum automobile parking requirement: There is no maximum parking for dwellings in the R6 zoning district.

  Bicycle Parking: The bicycle parking requirement for a multiple-family development is one space per two dwelling units. The bicycle parking requirement for this development is 38 spaces. Not less than 90 percent of the required bicycle parking spaces shall meet the standards for long-term bicycle parking. Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. In total, 25 of the required bicycle parking spaces need to be enclosed.

  In the University Area Overlay District the zoning code requires one bicycle parking spaces per bedroom. There are a total of 75 bedrooms in the development which requires 75 bicycle parking spaces on the site. There will be a total of 75 bicycle parking spaces provided in the parking garage.

  Loading: There is no loading space requirement for this development.

- **Maximum Floor Area:** The maximum FAR in the C3A zoning district is 3.0. Section 548.130 allows a 20 percent density bonus for enclosed parking. This development qualifies for the density bonus which, when calculated, would result in a maximum FAR 3.6. The lot in question is 20,743 square feet in area. The applicant proposes a total of 62,839 square feet of gross floor area, an FAR of 3.03.

- **Building Height:** Building height in the R6 zoning district is limited to six stories or 84 feet. The applicant proposes a building that is six stories or 74 feet in height.

- **Minimum Lot Area:** The minimum lot area per dwelling unit in the R6 zoning district is 400 square feet. Section 548.130 allows a 20 percent density bonus for enclosed parking. This development qualifies for the density bonus which, when calculated, would result in a minimum lot area of 340 square feet per dwelling unit. With 75 dwelling units on a lot of 20,743 square feet, the applicant proposes 276 square feet of lot area per dwelling unit. The applicant has applied for a variance to reduce the minimum lot area from 340 square feet per dwelling to 276 square feet per dwelling (18.8 percent variance).

- **Dwelling Units per Acre:** The site is 20,743 square feet or .48 acres in size. There are 156 dwelling units per acre proposed on the site.

- **Yard Requirements:** The required front yard setback in the R5 zoning district is 15 feet. The applicant has applied for a variance to reduce the front yard setback along Huron Boulevard Southeast from the required 15 feet to 4 feet. The interior side and rear yard setbacks in the R6 zoning district are 5+2x, where x equals the number of stories above the first floor, not to exceed 15 feet. The resulting setback along the north and south interior side yards and the east rear yard is 15 feet. The applicant has applied for a variance to reduce north interior side yard setback from the required 15 feet to 3 feet, a variance to reduce the east interior side yard setback from the required 15 feet to 5 feet and a variance to reduce the south interior side yard setback from the required 15 feet to 5 feet.

- **Specific Development Standards:** There are no specific development standards for residential uses.

- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the R6 zoning district a multiple-family dwelling, on a lot between 10,000 square feet and 43,560 square feet, can have one wall identification sign not exceeding 32 square feet with a maximum height of 14 feet or top of wall, whichever is less.

  The applicant is proposing to have one wall sign located on top of the canopy that is located over the windows on the first floor of the building. The sign will be made out of individual cast metal letters. The sign measures approximately 32 square feet and is located 14 feet off of the ground.

- **Refuse storage:** There will be a trash and recycling room located on the first floor of the building.

- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials. The Planning Division is recommending that the final lighting plan conform to the standards of Chapter 535, Regulations of General Applicability.

MINNEAPOLIS PLAN:

This site is located on the southeast corner of Huron Boulevard Southeast and Delaware Street Southeast. The site is located in the Stadium Village Activity Center and the University and 29th Avenue Transit Station Area as designated in *The Minneapolis Plan for Sustainable Growth.* The site is

also located one block south of University Avenue Southeast which is a designated Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as mixed use. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Support the development of residential dwellings that are of high quality design and compatible with surrounding development (Urban Design Policy 10.4).
- Support the development of multi-family residential dwellings of appropriate form and scale (Urban Design Policy 10.5).
- New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level (Urban Design Policy 10.6).
- Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within require setbacks (Implementation Step for Urban Design Policy 10.6).
- Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces (Implementation Step for Urban Design Policy 10.6).
- Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level (Implementation Step for Urban Design Policy 10.6).

The Planning Division believes that the development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth.*

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

PLANNING DEPARTMENT RESPONSE:

- **The first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no**

more than 30 percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway. Sixty-four percent of the building frontage along Huron Boulevard Southeast contains active functions. The site has frontage on only one street. Since there is no alley on this block the operational functions of the building have to be located towards the street side of the building including the parking garage entrance, the fire access room and the trash and recycling room. Given this the Planning Division is recommending that the City Planning Commission grant alternative compliance to allow more than 30 percent of the building frontage along Huron Boulevard Southeast to contain non-active functions.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Rezoning:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and the Minneapolis City Council adopt the above findings and **approve** the rezoning from the I1 to the R6 zoning district and to remove the IL Industrial Living Overlay District for the properties located at 515, 517 and 521 Huron Boulevard Southeast.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the Conditional Use Permit:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit for a 75-unit residential development located at 515, 517 and 521 Huron Boulevard Southeast subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the minimum lot area requirement per dwelling unit from 340 square feet per dwelling to 276 square feet per dwelling (18.8 percent variance) located at 515, 517 and 521 Huron Boulevard Southeast.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to increase the maximum lot coverage from 70 percent to 82 percent (14,520 square feet to 17,053 square feet) located at 515, 517 and 521 Huron Boulevard Southeast subject to the following condition:

1. As proposed by the applicant, a green roof shall be incorporated on top of the one-story parking garage area.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the required number of off-street parking spaces from 67 to 38 located at 515, 517 and 521 Huron Boulevard Southeast subject to the following conditions:

1. There shall be a shared vehicle provided on site for the life of the project.

2. There shall be a minimum of 75 bicycle parking spaces provided on the site.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application of the parking location requirements - north interior side yard and within 6 feet of the structure located at 515, 517 and 521 Huron Boulevard Southeast.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the front yard setback along Huron Boulevard from the required 15 feet to 4 feet located at 515, 517 and 521 Huron Boulevard Southeast.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the north interior side yard setback from the required 15 feet to 3 feet located at 515, 517 and 521 Huron Boulevard Southeast subject to the following condition:

1. The upper floors of the building shall be located 11.5 feet from the north interior property line.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the east rear yard setback from the required 15 feet to 5 feet located at 515, 517 and 521 Huron Boulevard Southeast.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the south interior side yard setback from the required 15 feet to 5 feet located at 515, 517 and 521 Huron Boulevard Southeast subject to the following condition:

1. The upper floors of the building shall be located ten feet from the north interior property line.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the property located at 515, 517 and 521 Huron Boulevard Southeast subject to the following conditions:

1. The final lighting plan shall conform to the standards of Chapter 535, Regulations of General Applicability.

2. Approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development – Planning Division.

3. All site improvements shall be completed by November 18, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Preliminary Development Review report from August 3, 2011, meeting
2. Project description
3. Conditional use permit and variance findings
4. September 15, 2011, e-mail to Council Member Gordon
5. September 15, 2011, e-mail to the Prospect Park East River Road Improvement Association
6. August 15, 2011, PPERRIA meeting report in support of the development
7. Zoning map and overlay map
8. Civil plans, site plan, landscape plan, floor plans, elevations and perspective drawings
9. Shadow study
10. Context photos
11. Photos of the site and the surrounding area